

LIST OF PLANNING APPLICATIONS TO BE SUBMITTED BEFORE THE FOLLOWING COMMITTEE

CITY AREA – 16/10/03

Note: This is a précis of the Committee report for use mainly prior to the Committee meeting and does not represent a notice of the decision

A106 - Approve subject to S106	DOEC - Refer to DLTR (Committee) Now DTLR	REF - Refusal
APP - Approve	NOBJ - No objection	REV - Subject to Revocation Order
APPC - Approve with conditions	OBJ - Objection	DOED - Refer to DLTR
APRE - Part approve / refuse	OBS - Observations to Committee	Now DTLR - (delegated)

ITEM NO	APPLICATION NO OFFICER	LOCATION	REC	PARISH / WARD	PAGE NOS	WARD & COUN- CILLORS	NOTES
1	S / 2003 / 971 Mrs J Wallace	WENDY BUTLER 79 ESTCOURT ROAD	A106		3-6	ST EDMUND & MILFORD Councillor Mrs Chettleburgh Councillor Mr Sample	
2	S / 2003 / 1556 Mr R Hughes	WILSON INVESTMENT HOLDINGS 48 CHURCHFIELDS ROAD	APPC		7-12	FISHERTON & BEMERTON Councillor Ms Mallory Councillor Mr Walsh	
3	S / 2003 / 1594 Mrs Jenny Timothy	MICHAEL HEAP ESQ ELIZABETH COURT	APPC		13-15	ST MARTIN & MILFORD Councillor Mr Howarth Councillor Mr Tomes	
4	S / 2003 / 1608 Ms Sarah Watkiss	MRS C COPE 1 LINKWAY	APPC		16-17	BISHOPDOWN Councillor Mrs Brown Councillor Mr Cardy	

5	S / 2003 / 1609 Mr R Hughes	HALL & WOODHOUSE NEW INN NEW STREET	APPC	18-20	ST MARTIN & MILFORD Councillor Mr Howarth Councillor Mr Tomes
6 SV	S / 2003 / 1703 Mrs Jenny Timothy	MRS FIDDY 11 DEVONSHIRE ROAD	APPC	21-22	ST MARK & STRATFORD Councillor Mr Nettle Councillor Mr Paisey Councillor Mrs Warrander
7	S / 2003 / 1838 Mr R Hughes	DOWNTON ROAD COMMUNITY ASSOCIATED (ADJACENT TO) ANCIENT WAY	APPC	23-25	HARNHAM EAST Councillor Mr Collier Councillor Mr Culver
8 SV	S / 2003 / 1865 Miss A Rountree	MR J J DAWSON 136 THE CLOSE	APPC	26-27	ST MARTIN & MILFORD Councillor Mr Howarth Councillor Mr Tomes

END OF LIST

Schedule Of Planning Applications For Consideration

In The following Order:

Part 1) Applications Recommended For Refusal

Part 2) Applications Recommended for Approval

Part 3) Applications For The Observations of the Area Committee

With respect to the undermentioned planning applications responses from bodies consulted thereon and representations received from the public thereon constitute background papers with the Local Government (Access to Information) Act 1985.

ABBREVIATIONS USED THROUGHOUT THE TEXT

AHEV	- Area of High Ecological Value
AONB	- Area of Outstanding Natural Beauty
CA	- Conservation Area
CLA	- County Land Agent
EHO	- Environmental Health Officer
HDS	- Head of Development Services
HPB	- Housing Policy Boundary
HRA	- Housing Restraint Area
LPA	- Local Planning Authority
LB	- Listed Building
NFHA	- New Forest Heritage Area
NPLP	- Northern Parishes Local Plan
PC	- Parish Council
PPG	- Planning Policy Guidance
SDLP	- Salisbury District Local Plan
SEPLP	- South Eastern Parishes Local Plan
SLA	- Special Landscape Area
SRA	- Special Restraint Area
SWSP	- South Wiltshire Structure Plan
TPO	- Tree Preservation Order

Part 1

Applications recommended for Refusal

Item No.	Case Officer	Contact No.	
App.Number Ward/Parish	Date Received Cons.Area	Expiry Date Listed	Applicant's Name Agents Name
Proposal Location			

No Refusals

Part 2

Applications recommended for Approval

Item No.	Case Officer	Contact No.	
App.Number	Date Received	Expiry Date	Applicant's Name
Ward/Parish	Cons.Area	Listed	Agents Name
Proposal Location			

1	Case Officer Mrs J Wallace	Contact No 01722 434687	1
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S/2003/971	01/05/03 15:24:54	26/06/03 15:24:54	WENDY BUTLER
STED			NIGEL LILLEY
Easting: 415002.1	Northing: 130527.5		

PROPOSAL:	FULL APPLICATION -CHANGE OF USE TO RESIDENTIAL
LOCATION:	79 ESTCOURT ROAD SALISBURY SP1 3AX

REASON FOR REPORT TO MEMBERS

HDS does not consider it prudent to exercise delegated powers

SITE AND ITS SURROUNDINGS

A three-storey dwelling set back from the street, which has a shop (currently a hairdresser) on the ground floor. The shop projects slightly forward from the front of the dwelling, covering what was originally the front garden of the property. The shop opens directly on to the pavement edge. There is no off-street car parking available. The area is a mixed residential and commercial area. The property faces Escourt Road, which runs parallel to and is immediately adjacent to the A36 Churchill Way.

THE PROPOSAL

It is proposed to convert the ground floor shop into a one bedroomed flat. The shop window would be removed and a domestic style door and two windows inserted in the shop front

PLANNING HISTORY

None

CONSULTATIONS

WCC Highways	- no objections
Highway Agency	- The A36 is virtually de-trunked and the Agency has no comments to make on this application.

Environmental Health - A number of concerns regarding the proposal
 1 Living room fronts Churchill Way and windows and doors will need to reduce noise transmission
 2 bedroom has no natural light or ventilation
 3 Bathroom can only be accessed via bedroom, which does not meet the fitness standards of the Housing Act 1985
 In my view it would make a poor quality dwelling
 Building Control - Fire access is proposed through the ground floor of the existing dwelling to the rear and ventilation method to bedroom is unusual and may be difficult to achieve adequate standards.

REPRESENTATIONS

Advertisement	No
Site Notice displayed	Yes site notice expired 5/6/03
Departure	No
Neighbour notification	Yes site notice expired 29/05/03
Neighbour response	none

MAIN ISSUES

Impact on neighbourhood amenity
 Amenities of proposed new dwelling

POLICY CONTEXT

H8, G1, G2 and D3 of Adopted Salisbury District Local Plan June 2003

PLANNING CONSIDERATIONS

Impact on neighbourhood amenity and Parking

The property is currently a single dwelling on the ground, first and second floor with a shop on part of the ground floor. The property would have no car parking space available; however, limited waiting is possible during the day in the street adjacent to the property. This was available to the shop. Additionally, the flat would be on a bus route and the occupier of this very small one-bedroomed unit is unlikely to require space for a vehicle. The area is a mixed commercial /residential and this change of use to residential it could be argued would have environmental benefits for the adjacent residential properties by removing a traffic generator. On balance it is considered that the conversion of the shop into a one-bedroomed residential unit will generate substantially fewer vehicles than at present. Whilst there is no off-street parking, the site is located in an accessible/sustainable location and the Highway Authorities have no objection to the proposal.

External alterations to the building

The main external alteration required to the front of the property is the removal of the shop window. It will be in-filled with a rendered finish to match the adjacent property Sarum Funerals and a central door and two windows inserted. The proposal is very plain but is considered acceptable in this locality.

Amenities of proposed new dwelling

Currently the building is a large detached building providing a shop on the ground floor and a dwelling on the ground floor and above. The proposed flat will provide a small unit of residential accommodation, close to the central part of the city, suitable for lower income groups. Light for the living area of the new flat will be available from the front of the property, but there will be no windows to provide natural daylight to the bedroom. Monodraught Sunpipes are proposed to provide light to the bathroom and bedroom and this is adequate under the Housing and Building Acts as long as mechanical ventilation can also be provided.

The Environmental Health Officer is still concerned that the proposed one-bedroomed flat is small, and that access to the bathroom and W/C is via the bedroom. Amended plans are expected in time for your meeting to resolve this problem.

The main access to the flat will be directly from Estcourt Road and an amenity space and storage area will be made available at the rear by private agreement. This cannot be accessed directly from the flat; access to this amenity/refuse storage area will involve a short walk around the property via the adjacent Undertakers yard and a pedestrian private right of way.

On balance the proposed one-bedroomed flat will be small, will have limited natural light, will be affected by the traffic noise from Estcourt Road and Churchill Way and will be somewhat cramped, it is considered that the amenities are not so inadequate as to warrant refusal on these grounds alone.

Other issues

The Environmental Health Department has expressed concern regarding the proposed internal layout of the flat, however compliance with Environmental Health and Building Regulations legislation are separate matters and only if the satisfying of these rules resulted in unacceptable levels of amenity for the future occupiers of this flat would these matters become a material consideration in regards to a planning proposal.

CONCLUSION

This is a large property adjacent to the busy A36 with an existing residential use around and above the present shop. Many other properties in this locality have been converted into flats and this proposal is for the continuation of a small separate unit. The proposed flat will have limited off-street parking facilities and will be small with a very poor outlook. In this location though close to the town centre and adjacent to the busy A36 where good public transport is available, the provision of small residential units for lower income groups would provide for needs not otherwise served and therefore on balance the proposal is considered acceptable

RECOMMENDATION: SUBJECT TO

(A) Receipt of satisfactory amended plans (to meet concerns of the Environmental Health Officer).

(B) the applicant and any other relevant parties undertake, under Section 106 of the principal act to pay a commuted sum under policy R2 of the Salisbury District Local Plan within one month, then this authority is minded to grant planning permission to the above application subject to the following conditions:

(1) The development hereby permitted shall be begun before the expiration of five years from the date of this permission. (A07A)

Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.

(2) The development shall be carried out in strict accordance with the drawing[s] hereby approved, or with such other details as may subsequently be submitted to and approved in writing by the Local Planning Authority. (B05A)

Reason: For the avoidance of doubt.

(3) Before the ground floor flat is occupied, a sound attenuation scheme is to be submitted and approved in writing by the Local Planning Authority and implemented in accordance with the approved details and maintained thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason: To minimise the disturbance that could otherwise be caused to the occupants of this dwelling by noise from nearby trunk road A36.

If the applicant does not comply with (A & B) above the application is delegated to the Head of Development Services to refuse the proposal on non-compliance with Policy R2.

INFORMATIVE: - POLICY

This permission has been taken in accordance with the following policy/policies of the Adopted Salisbury District Local Plan: H8, G1, G2 & D3

NOTES:

S/2003/1556	22/07/03 09:03:34	16/09/03 09:03:34	WILSON INVESTMENT HOLDINGS
FISH			DREWEATT NEATE
Easting: 413222.773577452	Northing: 130153.291909337		

PROPOSAL:	FULL APPLICATION -PROPOSED REDEVELOPMENT & DEMOLITION OF EXISTING BUILDING STRUCTURES & ERECTION OF NEW CAR SHOWROOM & WORKSHOP BUILDING TOGETHER WITH FORECOURT DISPLAY AREA & CAR PARK
LOCATION:	48 CHURCHFIELDS ROAD SALISBURY SP2 7NW

REASON FOR REPORT TO MEMBERS

HDS does not consider it prudent to use delegated powers

SITE AND ITS SURROUNDINGS

Vacant car sales site, containing some minor buildings, with vehicular access off Churchfields Road, and Faraday Road to the rear.

THE PROPOSAL

It is proposed to redevelop the site for use as car showroom and workshop, with ancillary display forecourt

PLANNING HISTORY

Various application for works to the property, including S/99/0494, which granted change of use and redevelopment of the site from B8 to sale and repair of motor vehicles, including erection of new showroom/workshop building.

CONSULTATIONS

WCC Highways	- Awaited
Environmental Health	- No observations
Wessex Water Authority	- No objections
Environment Agency	- No objections, subject to contamination study

REPRESENTATIONS

Advertisement	Yes. 21.8.03
Site Notice displayed	Yes. 21.8.03
Departure	No
Neighbour notification	Yes. Expiry 13.8.03
Neighbour response	Yes. Two letters objecting to the proposal on traffic impact
grounds and the unsuitability of the site for such a use	
Salisbury Transport 2000	Object, given the likely impact of transporters. The use should be located on a more suitable site.

1. Traffic impact
2. Parking issues
3. Poor design
4. Other alternative sites

MAIN ISSUES

1. Planning history
2. Policy and government guidance
3. Overall design
4. Highway
5. Other issues

POLICY CONTEXT

G1 G2 D1 D2 E16 S4 SDLP

PPG 6

PLANNING CONSIDERATIONS

1. Planning history

The site appears to have been used for a B8 use until recent years, when the use of the site appeared to change to a car sales site.

The western half of the site was granted outline consent in 1999 for such a car sales/workshop use. That consent was never implemented, as an application for reserved matters was not received with 3 years of the consent. However, the applicants could still apply for an extension of time to submit the reserved matters and it may be difficult to resist.

As a consequence, it would appear that in absence of a certificate of lawfulness, the previous car sales use may have been unauthorised. Secondly, as the previous change of use consent for the site was apparently never implemented, the existing use of the site would still appear to be the previous B8 use, and not the use stated on the applicants application form.

2. Policy – retail/car sales

The previous 1999 application was dealt with in the light of then current Local Plan policy S8, which did not allow car sales on Churchfields Industrial Estate,

S8 The construction or change of use of premises for retail purposes (including for the sale of motor vehicles), or the extension of premises already in retail use (including for the sale of motor vehicles), will not normally be permitted on the Churchfields Industrial Estate.

Policy S9, which was a suggested redrafted version of policy S8. The initial draft of this policy S9 appears to have allowed a more flexible approach to car sales uses on the estate. Hence, the 1999 application was approved in this policy context.

However, policy S8 and draft policy S9 no longer exist having been omitted by the Local Plan Inspector. The Inspector indicated that proposals for retail/motor trade uses should be judged against new policy S4, which is an over-arching policy relating to retail development and its proximity and impact on the city centre. This policy mirrors the guidance given in PPG 6, which aims to retain retail uses within city centres. The Local Plan Inspector's comments are attached as an appendix to this report.

Based on the information submitted, in the absence of any supporting information/retail impact assessment. The applicant has not satisfied the policy requirements in so far as it has not been proven that this particular site is sequentially preferably to any other suitable site closer to the city centre.

However, whilst the current level of information provided is considered insufficient to comply with the requirements of policy S4, the use proposed does not fit neatly with that policy, which is primarily intended to protect key town centre retail uses. The use proposed is somewhat of a hybrid mixed use which does not fit neatly into any particular use class, being a mixture of quasi

industrial uses, and retail car sales. It is generally accepted that such a car sales use is perhaps better located outside the city centre, within which such a use would be rather incompatible with a tight knit urban grain as found in the historic city centre.

Given that the use is considered to be a mixed industrial/car showroom use, it is considered that the city centre of Salisbury would not be an appropriate location for such a use, and that secondly, the use proposed would have no adverse impact on the vitality and viability of the city centre. Thirdly, it is difficult to ascertain where else such a use would be more appropriate, particularly taking into consideration that Churchfields Industrial Estate already has a number of similar uses on it.

3. Policy - Employment issues

Policy E16 of the new Salisbury District Local Plan aims to restrict the loss of employment sites, unless a similar range and type of jobs is proposed, or where there is an environmental benefit to the change of use.

The applicant has been informed of the above policy issues, and has submitted details which indicate that between 30 to 50 staff would be employed at the new site, although much of this employment would simply be relocating from Stephenson Road on the Industrial Estate.

When considering the 1999 outline consent for a similar use on part of this site, it was determined that a car sales/workshop use would tend to create a similar type of job as the previous B8 use. Whilst the lack of details regarding the previous B8 use makes any employment comparison impossible, it is considered that in general a B8 storage/distribution use traditional employs less staff than a traditional B1/B2 type use.

It is therefore considered that in this context, on the balance of probability, the level of jobs provided would be likely to be a greater than that previously employed on the site. A range of jobs would also be likely to be provided. (However, Members should note that there is no foolproof way of ensuring that the proposed use would employ a certain number or type of staff).

Consequently, on balance, it is considered that the proposal is likely to have a beneficial effect in terms of employment.

4. Design

The applicant has confirmed in writing that they are not willing to undertake a landscaping strip along the front of the site as requested by the case officer, although they have agreed to erect small planting boxes adjacent to the main road.

Whilst the proposed scheme is of a bland utilitarian design, which contains little or no landscape features to soften the appearance of the site, Churchfields Ind Estate consists of a variety of built form of various quality, and it is considered that a refusal on design grounds would be difficult to support.

5. Highways

WCC comments are formally awaited. However, it is understood that they have no objections in principle.

Churchfields Industrial Estate has significant parking/traffic problems, and concerns have been submitted from interested third parties and Salisbury Transport 2000 regarding the impact of the proposed use.

However, provided WCC do not object to the proposal, it is considered that given the planning history of the industrial estate in general which contains numerous similar uses, and the 1999 outline consent on part of the site for a car showroom and workshop use, a refusal on highway grounds would appear difficult to support.

6. Other issues

The Environment Agency has no objections, subject to a contamination survey being undertaken. This requirement has been included as a condition.

CONCLUSION

Without the requested evidence of need and a suitable sequential test, it has not been proven that this use is the most appropriate use for this particular site, and the applicants have not complied fully with Local Plan policy which requires such information.

However, whilst the current level of information provided is considered insufficient to comply with the requirements of policy S4, the use proposed does not fit neatly with that policy, which is primarily intended to protect key town centre retail uses.

Given that the use is considered to be a mixed industrial/car showroom use, it is considered that the city centre of Salisbury would not be an appropriate location for such a use, and that secondly, the use proposed would have no adverse impact on the vitality and viability of the city centre. Thirdly, it is difficult to ascertain where else such a use would be more appropriate, particularly taking into consideration that Churchfields Industrial Estate already has a number of similar uses on it.

Therefore, on balance, the proposal is considered acceptable, provided that the workshop use is conditioned to remain a substantial part of the activity on the site.

RECOMMENDATION:

Provided, (a) No objection from WCC Highways, then

APPROVE, subject to the following conditions:

(1) The development hereby permitted shall be begun before the expiration of five years from the date of this permission. (A07A)

Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.

(2) Before development is commenced, a schedule of materials and finishes, and, where so required by the Local Planning Authority, samples of such materials and finishes, to be used for the external wall[s] and roof[s] of the proposed development shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details. (D04A)

Reason: To secure a harmonious form of development.

(3) Before development commences, details of the hard and soft landscaping shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of amenity

(4) If within a period of 5 years from the date of the planting, any planting, is removed, uprooted or destroyed or dies, [or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective,] planting of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

Reason: In the interests of visual amenity

(5) The development shall be carried out in accordance with the submitted plans and the applicants letter received on 26th September 2003, whereby no more than 25 percent of the total gross floor area of the proposed building shall be allocated/used as car showrooms. The remainder of the floor space shall be used for motor vehicle repairs (non retail use) as hereby permitted.

Reason: In order that the Local Planning Authority may retain planning control over the use of the premises so as to retain the mixed use and employment use of the site.

(6) Before development commences, a plan showing how the rear parking area is to be divided up between staff and customer parking shall be submitted to and approved in writing by the Local Planning Authority. The parking layout and allocation as agreed shall be laid out before the use hereby approved commences, and shall be kept free of obstruction and maintained as agreed thereafter. No car sales shall take place in this area.

Reason: In order to discourage on street parking in the interests of highway safety.

(7) Development shall not begin until a scheme to deal with contamination of the site has been submitted to and approved in writing by the Local Planning Authority. The above scheme shall include an investigation and assessment to identify the extent of contamination and the measures to be taken to avoid risk to the [public/buildings/environment] when the site is developed. Development shall not commence until the measures approved in the scheme have been implemented.

Reason: In the interest of amenity

(8) Before development commences, a scheme for the discharge of surface water from the building(s) hereby permitted shall be submitted to and approved by the Local Planning Authority, and shall be carried out as approved. (L07A)

Reason: To ensure that the development is provided with a satisfactory means of surface water disposal.

INFORMATIVE:

Contaminated Land

Activities carried out at this site may have caused contamination of soil, subsoil and groundsoil and groundwater present beneath the site and may present a threat to nearby surface waters, especially as a result of the proposed development.

Consequently, we recommend that the developer should take prudent steps to assess the risks associated with potential contaminants at this site to ensure the development will not cause pollution of Controlled Waters. Such a strategy should take the form of and include the following stages:

- a desk study, which should include the identification of previous site uses, potential contaminants that might reasonably be expected given those uses and other relevant information.

If the potential for significant ground contamination is confirmed, this information should be used to produce:

- a diagrammatical representation (Conceptual Model) for the site of all potential contaminant sources, pathways and receptors.
- a site investigation, designed for the site, using this information and any diagrammatical representations (Conceptual Model) undertaken. The investigation must be comprehensive enough to enable:
 - a) a suitable risk assessment to be undertaken relating to groundwater and surface waters associated on and off the site that may be affected, and
 - b) refinement of the Conceptual Model, and
 - c) development of a Method statement detailing the remediation requirements.

This practice is considered important so that the site operator/owner, the regulatory authorities and other parties, such as the general public, potential purchasers or investors, can have

confidence in the outcome, and any subsequent decisions made about the need for action to deal with any contamination at the site.

NOTES:

S/2003/1594	25/07/03 09:18:13	19/09/03 09:18:13	MICHAEL HEAP ESQ
STMT	SAL		ELIZABETH COURT (SALISBURY) LTD
Easting: 414035.468635917	Northing: 129994.243887335		

PROPOSAL:	FULL APPLICATION -BRICK ENCLOSURE TO HOUSE LIFT COOLING UNIT TO REDUCE NOISE LEVEL TO ACCEPTABLE LEVEL
LOCATION:	ELIZABETH COURT CRANE BRIDGE ROAD SALISBURY SP2 7SU

REASON FOR REPORT TO MEMBERS

This application was deferred from the previous meeting of the City Area Committee on 18th September 2003 in view of a number of technical questions raised at the meeting relating to noise issues. It is hoped that the technical matters can be clarified by the time of the meeting and that an Environmental Health Officer will be able to attend to answer any technical questions.

The previous report has been updated and reproduced below for members information.

SITE AND ITS SURROUNDINGS

Elizabeth Court is a large modern block of flats containing very sheltered accommodation within a conservation area. It is situated on a large plot on the corner of Cranebridge Road close to the city centre. The site of the proposed enclosure to house the lift cooling unit is to the south east of Elizabeth Court in an enclosed area with a 1.8 metre fence running around the boundary broken by a similar height access gates. The site backs onto car park and garaging with the residential developments of The Square and Cranebridge Road beyond. The proposed unit will sit directly next to the boundary fence 18.5 metres away from the Elizabeth Court building next to the access gates.

THE PROPOSAL

It is proposed to erect a kiosk to house an air blast cooler to keep the hydraulic oil within acceptable temperature limits. The existing cooling unit is attached to the wall of Elizabeth Court and current noise levels are unacceptable to the residents of those flats. The proposed kiosk is to have brick effect red russet cladding and will be constructed from glass reinforced plastic. It will measure 1 metre by 0.8 metres and reach a height of 2.2 metres (approx). The enclosure is to contain silencers which will reduce the noise to approximately 34db at 5 metres.

PLANNING HISTORY

94/1488	The erection of very sheltered housing (40 units) together with access and parking, (Bovis Homes) " Queen Elizabeth Court" & "The Hermitage"	AC 29.9.95
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CONSULTATIONS

Environmental Health

- No objections subject to the following condition
"The machinery be designed and/or insulated in accordance with a scheme to ensure that it is inaudible, when operating, at the façade of the dwellings, to be submitted to and approved in

Conservation

writing by the Local Planning Authority prior to development commencing”

- No objections

REPRESENTATIONS

Advertisement	Yes	Expiry 28.8.03
Site Notice displayed	Yes	Expiry 28.8.03
Departure	No	
Neighbour notification	Yes	Expiry 25.8.03
Neighbour response	Yes	14 Letters of objection on the grounds of unacceptable noise levels for residents in Cranebridge Road and The Square and 3 objecting to the visual impact of the development.

MAIN ISSUES

1. Impact on conservation area
2. Impact on neighbours

POLICY CONTEXT

G2 D3 & CN8

PLANNING CONSIDERATIONS

Impact on the conservation area

The proposal is a small visually unobtrusive kiosk within an enclosed courtyard of Elizabeth Court. The top 40cm of the kiosk will be visible over the boundary fence. Although not of any architectural merit the size, proposed materials and location of the development (it is not visible from a public highway) mean that it will have very little impact on the conservation area. The Conservation Officer has looked at the proposals and is satisfied that the impact on the conservation area will be minimal. Therefore this proposal is considered to conform to Adopted SDLP policies D3 & CN8.

Impact on neighbours

The cooling unit is to be relocated close to the boundary of Elizabeth Court. Objection letters received state that the existing noise levels within The Square and properties on Cranebridge Road from the cooling unit are unacceptable to the residents, the concern is that moving the unit closer to the boundary will exacerbate the current problem. The applicant has stated that the proposed kiosk will contain silencing equipment to reduce noise levels to 34db within 5 metres which will bring the noise within acceptable levels. Environmental Health has been consulted and made the following comments:-

- The hydraulic lifts are quieter in operation and are less noisy regards the sound transmission to the flats with a party wall to the lift shaft than a traditional mechanical lift. The hydraulics can overheat and this is why the cooler is presently on the outside wall. Moving the cooler and insulating it should overcome the problem. Competent advice on these issues is essential.
- Regarding 34dB (A) would approximate the sound in a library for example. There could be occasions when ambient levels in Salisbury could fall to 34dB (A) at night. There are frequency issues, ie 34dB at a higher frequency could be relatively easy to overcome whereas 34dB at a low frequency could present a humming sound which is difficult to overcome. This is where the competent advice and the presentation of the scheme as part of a condition is important.

It has been requested from the applicant that a scheme be submitted to the Local Planning Authority detailing how they intend to deal with noise issues (ie type of insulation/machinery to

be used). This has not been received as yet has been requested to be available for the time of the City Area Committee meeting.

CONCLUSION

The small size and brick cladding of the proposal are compatible in terms of scale, design and materials with the existing property. Given its size and location within the conservation area it could not be considered detrimental to its character. However the noise levels may be an issue for neighbouring properties in the relocation of the cooling unit, a scheme has been requested from the applicant detailing the measures to be taken to reduce the noise.

RECOMMENDATION:

APPROVE subject to the following conditions:

(1) The development hereby permitted shall be begun before the expiration of five years from the date of this permission. (A07A)

Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.

(2) No development shall take place until samples of the materials to be used in the construction of the external surfaces of the kiosk hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure that the external appearance of the proposed kiosk will relate appropriately to that of the existing building.

(3) The machinery be designed and/or insulated in accordance with a scheme, to be submitted to and approved in writing by the Local Planning Authority to ensure that it is inaudible, when operating, at the façade of the dwellings prior to development commencing.

Reason: In the interests of the amenities of neighbouring dwelling[s].

INFORMATIVE:

This permission has been taken in accordance with the following policy/policies of the adopted Salisbury District Local Plan (G2 D3 & CN8).

NOTES:

S/2003/1608	28/07/03 08:19:45	22/09/03 08:19:45	MRS C COPE
BISH			MR R W WALLBRIDGE
Easting: 415116	Northing: 131436.4		

PROPOSAL:	FULL APPLICATION -LOUNGE & BATHROOM EXTENSION TO GROUND FLOOR
LOCATION:	1 LINKWAY SALISBURY SP1 3EP

REASON FOR REPORT TO MEMBERS

The applicant is a Council employee

SITE AND ITS SURROUNDINGS

The property is set within a residential area. The proposal will simply consist of a small extension to the rear and a change to the porch at the front.

THE PROPOSAL

Lounge and Bathroom extension to ground floor

PLANNING HISTORY

None

CONSULTATIONS

None received

REPRESENTATIONS

Advertisement	No
Site Notice displayed	Yes
Departure	No
Neighbour notification	Yes
Neighbour response	No
Parish Council response	No

MAIN ISSUES

Principle, design, impact on neighbouring properties by way of loss of light, overlooking, or overshadowing.

POLICY CONTEXT

G2 and D3 of the Adopted Replacement Salisbury District Local Plan.

PLANNING CONSIDERATIONS

This application is considered to be acceptable in that it would not result in any adverse impact to neighbouring properties by way of loss of light, overlooking or overshadowing nor would it result in any detrimental impact on the street scene.

It would appear that the front porch element of the proposal may join on to the neighbouring property. As such an informative will be placed onto the application to ensure that the applicant is aware of the party wall act and their responsibilities under it.

CONCLUSION

The only reason for this proposal going to committee is that the applicant is a council employee, the proposal will not result in any adverse impact being caused to any neighbouring property or to the street scene or character of the area.

RECOMMENDATION: **APPROVE** subject to the following conditions:

(1) The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.

(2) The materials to be used in the construction of the external surfaces of the extension(s) hereby permitted shall match those used in the existing building. (D01A)

Reason: To ensure that the proposed extension will satisfactorily harmonise with the external appearance of the existing building.

INFORMATIVE: - POLICY

This permission has been taken in accordance with the following policy/policies of the adopted Salisbury District Local Plan: G2 & D3.

INFORMATIVE: - PARTY WALL ACT

It is noted that the development hereby approved involves construction on or near a boundary with an adjoining property. The applicant is advised that this planning permission does not authorise any other consent which may be required from the adjoining landowner or any other person, or which may be required under any other enactment or obligation.

NOTES:

S/2003/1609	15/07/03 08:34:27	09/09/03 08:34:27	HALL & WOODHOUSE
STMT	SAL	II*	R MCLENNAN
Easting: 414374.452386409	Northings: 129773.05029723		

PROPOSAL:	LISTED BLDG (WKS) -NEW SINGLE STOREY EXTENSIONS TO REAR OF BUILDING VARIOUS INTERNAL ALTERATIONS BAR SERVERY MOVED TOILETS ALTERED STRUCTURAL OPENINGS FORMED
LOCATION:	NEW INN NEW STREET SALISBURY SP1 2PH

REASON FOR REPORT TO MEMBERS

HDS does not consider it prudent to exercise delegated powers

SITE AND ITS SURROUNDINGS

The grade II* listed building is located within the heart of the Conservation Area, to the north of the Cathedral Close. The original building has been altered and extended over time, and there are currently modern flat and pitched roofed extensions on the rear of the building.

THE PROPOSAL

It is proposed to undertake a number works primarily

- Undertake various internal works, and extend the existing dining area into the rear portion of the building
- Erect a pitched roof on top of the existing flat roofed extension on the rear of the building with a glazed southern end to provide additional light to the new dining area
- Erect a small flat roofed extension which would be attached to existing extensions, and provide new storage for the public house
- Erection a pitched room extension onto the rear of the existing bottle store.

PLANNING HISTORY

Various. Members will recall that a planning application and a listed building application for the suggested works were recommended for approval by officers at the City Area Committee on 22ND August 2003. Following consideration were both refused earlier this year for the following reasons:

Planning application

"The proposals would involve an expansion of the existing Grade II Public House and its facilities, including a new dining area with a new pitched roof at first floor level.*

Given the close proximity and inter-relationship between the public house and the adjacent residential dwelling, it is considered that due to the combined effect of the significant bulk and dominating height of the new pitched roof, and the generally poor overall design and arrangement of the development, the proposal would be likely to have a detrimental impact on surrounding residential amenities, as a result of the significant reduction in existing residential aspect and the overbearing nature of the extension and the overshadowing and loss of light.

The proposal would therefore be contrary to policy G1 (x) of the adopted Salisbury District Local Plan 1996.

Listed Building Application

01 The New Inn is an attractive grade II* listed building, located in a prominent location within the Conservation Area of the historic city centre of Salisbury. It is considered that the works proposed, in particular the proposed dining room roof extension, would be ill-conceived and of a poor quality, and would be unsympathetic to the historic character and setting of the listed building, and thus also fail to preserve or enhance the character of the Conservation Area, contrary to policy CN7 & CN12 of the adopted Salisbury District Local Plan 1996.

The applicants subsequently appealed against both decisions, and a Public Inquiry is currently held in abeyance pending the outcome of this application.

Members should note that at a specially convened meeting of relevant Committee Members on 26th June 2003, due to the lack of substantive arguments to reinforce the listed building refusal reason and appeal, it was decided that a new listed building application should be invited. An appeal is still therefore pending, but only in relation to the other amenity arguments given above.

CONSULTATIONS

English Heritage - No Objections.

REPRESENTATIONS

Advertisement	Yes. Expiry 18/9
Site Notice displayed	Yes. Expiry 25/9
Departure	No
Neighbour notification	Yes. Expiry 5/9/03
Neighbour response adjacent amenities	One letter objecting to the scheme due to the impact on

MAIN ISSUES

1. Impact on LB/CA

POLICY CONTEXT

CN8 SDLP

PLANNING CONSIDERATIONS

In visual terms it is considered that the new pitched roof extension above the new dining area would result in a general improvement of the character of the listed building, by diluting the existing impact of the modern flat roofed extension, which currently detract from the visual appearance of the building. The smaller pitched roof extension to the bottle store is considered also be acceptable.

Whilst the flat roofed design of the other extension is not necessarily desirable, it would be of a small scale, and would be similar to the other flat roof line. A flat roof design also helps to keep the first floor window above the extension clear of obstruction and visible.

CONCLUSION

Overall the proposals would not harm the character of the LB or the surrounding CA.

RECOMMENDATION:

APPROVE subject to the following conditions:

(1) The development for which permission is hereby granted must be commenced not later than the expiration of 5 years beginning with the date of this permission. (Z01A)

Reason: To comply with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

(2) Before development is commenced, a schedule of materials and finishes, and, where so required by the Local Planning Authority, samples of such materials and finishes, to be used for the external wall[s] and roof[s] of the proposed development shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details. (D04A)

Reason: To secure a harmonious form of development.

(3) No development shall take place within the area indicated until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority. (X03A)

Reason: In order to secure an archaeological watching brief.

INFORMATIVE: - POLICY

This permission has been taken in accordance with the following policy/policies of the adopted Salisbury District Local Plan: CN7

NOTES:

S/2003/1703	08/08/03 11:57:49	03/10/03 11:57:49	MRS FIDDY
STMK			MR S P MANKIN
Easting: 414488.4	Northing: 131152.4		

PROPOSAL:	FULL APPLICATION -EXTEND ROOF TO CREATE GABLE END DESIGN
LOCATION:	11 DEVONSHIRE ROAD SALISBURY SP1 3NN

REASON FOR REPORT TO MEMBERS

HDS does not consider it prudent to exercise delegated powers

SITE AND ITS SURROUNDINGS

11 Devonshire Road, Salisbury is on street within a planned mid twentieth century development. The houses are all hipped roofed 1930's early developer built housing with projecting gable ends to the front. The road is has a very regular street scene with very little obvious alteration.

THE PROPOSAL

The proposal is to change, on the north east elevation, the existing hip to a gable end. No fenestration is proposed within the gable end.

PLANNING HISTORY

99/2151	Single storey extension at rear and conversion of garage to bedroom 9.2.00	AC
02/1554	Construct rear conservatory 6.9.02	AC

CONSULTATIONS

None

REPRESENTATIONS

Advertisement	No	
Site Notice displayed	Yes	Expiry 11.9.03
Departure	No	
Neighbour notification	Yes	Expiry 1.9.03
Neighbour response	No	

MAIN ISSUES

1. Impact on street scene

POLICY CONTEXT

G2 & D3

PLANNING CONSIDERATIONS

Compliance with Policy

The property is within the Salisbury Housing Policy Boundary. Alterations and extensions to the property would therefore be considered acceptable, if the proposals were in accordance with the criteria of policy D3.

Impact on Street Scene

The houses along Devon shire Road, including no 11, are of a distinctive architectural form in a quiet residential area of semi-detached and detached houses of a similar style and age. In Devonshire Road no other property has altered or had permission to alter the roofline in this way.

The dwellings on Devonshire Road are staggered and this dwelling is not prominent in the street scene. The proposed alteration will not be very apparent from the south west end of the street but will be visible from the front and partially visible from the top of the street.

The estate was designed as a distinctive unit with special and particular architectural characteristics. The proposed alteration will unbalance the pair of semi-detached properties and will alter the otherwise regular street scene along Devonshire Road. However in the surrounding roads of the estate a number of other dwellings have altered their roofline from a hip to a gable end and therefore could be considered to have set a precedent.

CONCLUSION

It is finely balanced whether this proposal should be approved as it is a subjective judgement. No other houses within Devonshire Road have this alteration and therefore it retains its intended regular roofline and streetscape. However there are number of properties within the locality who have had approval and have constructed a similar roofline and do not have a significantly deleterious impact on the street scene.

RECOMMENDATION: APPROVE: with the following conditions

(1) The development hereby permitted shall be begun before the expiration of five years from the date of this permission. (A07A)

Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.

(2) The materials to be used in the construction of the external surfaces of the extension(s) hereby permitted shall match those used in the existing building. (D01A)

Reason: To ensure that the proposed extension will satisfactorily harmonise with the external appearance of the existing building.

(3) There shall be no windows on the north east elevation in the gable end of the extension hereby permitted (unless otherwise agreed in writing by the Local Planning Authority).

Reason: To ensure adequate privacy for the occupants of neighbouring premises.

INFORMATIVE:

This permission has been taken in accordance with the following policy/policies of the adopted Salisbury District Local Plan G2 & D3.

NOTES:

S/2003/1838	29/08/03 10:38:46	24/10/03 10:38:46	DOWNTON ROAD COMMUNITY ASSOCIATED
HARN			PAUL STEVENS ARCHITECTURE
Easting: 414869.739536524	Northings: 128416.560464621		

PROPOSAL:	FULL APPLICATION -ERECTION OF NEW COMMUNITY CENTRE AND ASSOCIATED CAR PARKING
LOCATION:	(ADJACENT TO) ANCIENT WAY SALISBURY SP2 8TE

REASON FOR REPORT TO MEMBERS

HDS does not consider it prudent to exercise delegated powers

SITE AND ITS SURROUNDINGS

The site is located to the south of Salisbury, on existing agricultural land. The surrounding land including this application site is allocated in the Local Plan for additional housing. Opposite the site to the north is existing housing development, and the new distributor road.

The land is located at a higher level than the adjacent houses to the north.

THE PROPOSAL

It is proposed to erect a community centre on the site, with a separate car parking area to the south west. Access would be gained off the main road, in the position of the existing "access".

PLANNING HISTORY

The provision of a community centre was secured in principal as part of the previous outline planning consent for the housing development (Rowbarrow Gardens) which is located to the north of this application site. It is intended that this hall serve the needs of the surrounding housing and the wider area.

The land on which this proposal is sited was transferred to SDC, and a commuted sum towards the provision of a new community centre was secured as part of the S106 Agreement.

CONSULTATIONS

WCC Highways	- Awaited
Environmental Health	- No objections, provided restrictive conditions are placed on west facing windows to protect adjacent amenities
Wessex Water Authority	- Awaited
Environment Agency	- Awaited

REPRESENTATIONS

Advertisement	No
Site Notice displayed	Yes. Expiry 2/10/03
Departure	No
Neighbour notification	Yes. Expiry 2/10/03
Neighbour response	None

MAIN ISSUES

1. Principle
2. Design
3. Amenities
4. Highways

POLICY CONTEXT

G1 G2 PS1 D1 R4 SDLP

PLANNING CONSIDERATIONS

1. Principle

Given the requirement to provide a community hall as part of the previous housing development, and the likelihood of more housing being created around the application site in future years, it is considered that in principle, the provision of the facility is acceptable. The proposal complies with the requirements of the previous S106 Agreement, and the policy PS1, which seeks to retain and enhance community facilities.

2. Design/impact on street scene

The building proposed is contemporary in architectural style, as intended to be constructed with sustainable materials (straw bale walls and grass roof). Whilst the community hall would be a prominent feature in the immediate environment due to the substantial level differences with the adjacent housing site to the north and the A338 road to the north east, in the wider context, the building would be screened by mature landscaping to the north adjacent to the A338, and the rising land to the south.

Notwithstanding this, it is considered that this would be a fresh and attractive building, and its visibility within the surrounding residential development is welcomed, and would serve an added purpose of creating a feeling of place and community. Such high visibility would also make the surrounding area more legible.

The parking and access shown on the submitted plans would result in quite a large expanse of parking and tarmac surfacing. However, it is considered that given the redevelopment of the land adjacent for housing in future years and hence the urbanisation of the surrounding land, this type of design would not have an adverse visual impact in the longer term.

Furthermore, the relationship with the adjoining whilst a detailed design brief for adjacent housing has not yet been agreed, it is considered that the design submitted would be able to be integrated reasonably successfully into any future housing scheme.

3. Amenities

It is considered that the provision of a community hall would meet the requirements of policy PS1 and R4, and would improve the amenities of the area in general. Whilst elevated above adjacent housing, there is no real loss of privacy issues given the modest scale and design of the centre. Furthermore, the hall would be separated from adjacent housing by the main road, and therefore noise and disturbance caused by the use of the hall and the car park is unlikely to be a major issue.

However, the EHO has suggested that the west facing windows in the centre be glazed with acoustic glazing and fixed. A suitable condition has therefore been attached

4. Highways

WCC Highways has indicated that whilst it has no strong objections to the proposal in principle, there are a number of outstanding highway related issues which need to be clarified or amended before the scheme is acceptable in highway terms.

The applicant has been advised of these matters, and an amended set of plans is awaited, which will hopefully address highway concerns.

CONCLUSION

The provision of a community hall would meet various policy criteria, and the design as proposed would be attractive, reinforcing and improving the character of the wider residential area.

RECOMMENDATION: SUBJECT TO THE AMENDED SCHEME SATISFYING WCC HIGHWAY CONCERNS, AND SUBJECT TO CONSULTEE RESPONSES MAKING NO SUBSTANTIVE DIFFERENCE TO THE RECOMMENDATION , THEN:

APPROVE subject to the following conditions:

(1) The development hereby permitted shall be begun before the expiration of five years from the date of this permission. (A07A)

Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.

(2) Before development is commenced, a schedule of materials and finishes, and, where so required by the Local Planning Authority, samples of such materials and finishes, to be used for the external wall[s] and roof[s] of the proposed development shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details. (D04A)

Reason: To secure a harmonious form of development.

(3) The parking area shown on the approved plans shall be constructed and made available for use, prior to the community hall first coming into operation.

Reason: To prevent users parking in the surrounding residential area In the interests of highway safety and amenity

(4) Before development commences full details of the hard and soft landscaping, and times of planting shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity

(5) Before the community centre first comes into operation, the proposed window(s) in the west facing elevation shall be fixed (non-openable) and glazed with acoustic glass, details of which shall be submitted to and approved in writing by the Local Planning Authority. The windows shall be maintained in the agreed condition thereafter. (D14A)

Reason: In the interests of amenity

(6) Before development commences, a scheme for the discharge of surface water from the building(s) hereby permitted shall be submitted to and approved by the Local Planning Authority, and shall be carried out as approved. (L07A)

Reason: To ensure that the development is provided with a satisfactory means of surface water disposal.

INFORMATIVE:

This permission has been taken in accordance with the following policy/policies of the adopted Salisbury District Local Plan: G1, G2, PS1, D1, R4

S/2003/1865	29/08/03 10:32:36	24/10/03 10:32:36	MR J J DAWSON
STMT	SAL		
Easting: 414019.221571565	Northing: 129498.094849169		

PROPOSAL:	FULL APPLICATION -INSTALLATION WINDOW ON WEST WALL OF PROPERTY 1220X1558MM DOUBLE GLAZED UPVC WINDOW WITH GEORGIAN BAR AND K GLASS
LOCATION:	136 THE CLOSE SALISBURY SP1 2EY

REASON FOR REPORT TO MEMBERS

HDS does not consider it prudent to exercise delegated powers

SITE AND ITS SURROUNDINGS

136 The Close is a first floor flat located within Queens House. This is one of several buildings of the former Teacher Training College which was converted into residential flats in the early 1980s and is located within extensive grounds. The property is situated within the identified Conservation Area of Salisbury.

THE PROPOSAL

Permission is sought for the insertion of a window in the west wall of the property which will serve the living room. The window will measure 1220 by 1558 mm and will be a double glazed UPVC unit with Georgian glazing bars and "K" Glass.

PLANNING HISTORY

None Relevant

CONSULTATIONS

Conservation Department - No Objections

REPRESENTATIONS

Advertisement	Yes	Expired 02/10/03
Site Notice displayed	Yes	Expired 02/10/03
Departure	No	
Neighbour notification	Yes	Expired 23/09/03
Neighbour response	Yes	4 letters received, 3 objections on grounds of overlooking, visual amenity and creating of a precedent

MAIN ISSUES

1. Visual Amenity
2. Impact on Neighbour

POLICY CONTEXT

Adopted SDLP policies G2, CN8

PLANNING CONSIDERATIONS

Visual Amenity

The proposed window is to be located on a non-symmetrical elevation of the building and as there is a single storey link abutting the wall; a complete view of the total elevation is prevented. As such, in this location the window is considered to have minimal impact. It is not considered to create a precedent within the complex as similar development would require planning approval and each application is dealt with on its individual merits. The window will match in style the other windows within the complex - some of which are UPVC and some of which are the original timber. As such the proposal is not considered to have a detrimental impact upon the Conservation Area or setting of nearby listed buildings and it is therefore judged to conform with Adopted SDLP policy CN8.

Impact on Neighbour

The window proposed will cause some overlooking to the three bedrooms of the first floor flat opposite (158). However, due to the design of the flats this property is currently overlooked by several windows within the same complex. Therefore it is an on balance decision as to whether the addition of one more window overlooking the property could be considered more detrimental than the existing situation and as such whether the proposal conforms to policy G2 (vi).

CONCLUSION

Given the fact that 158 The Close already suffers loss of privacy from existing windows, on balance it is considered that the proposed window will not unduly cause overlooking great enough to warrant refusal

RECOMMENDATION:

APPROVE subject to the following conditions:

(1) The development hereby permitted shall be begun before the expiration of five years from the date of this permission. (A07A)

Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.

INFORMATIVE:

This permission has been taken in accordance with the following policy/policies of the adopted Salisbury District Local Plan: G2, CN8

NOTES: